

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 45

Session of
1997

INTRODUCED BY HOLL, JANUARY 15, 1997

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF
REPRESENTATIVES, AS AMENDED, APRIL 8, 1997

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for harassment and
3 stalking.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section ~~2709(f)~~ 2709(C)(1) AND (F) of Title 18 of <—
7 the Pennsylvania Consolidated Statutes ~~is~~ ARE amended to read: <—
8 § 2709. Harassment and stalking.

9 * * *

10 (C) GRADING.-- <—

11 (1) AN OFFENSE UNDER SUBSECTION (A) SHALL BE GRADED AS
12 FOLLOWS:

13 (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II), THE
14 OFFENSE SHALL CONSTITUTE A SUMMARY OFFENSE.

15 (II) AN OFFENSE UNDER SUBSECTION (A)(3) IF THE
16 DEFENDANT IS OR, DURING THE PAST FIVE YEARS, WAS ENGAGED
17 IN CIVIL LITIGATION WITH THE VICTIM SHALL CONSTITUTE A

1 FELONY OF THE THIRD DEGREE.

2 * * *

3 (f) Definitions.--As used in this section, the following
4 words and phrases shall have the meanings given to them in this
5 subsection:

6 "Course of conduct." A pattern of actions composed of more
7 than one act over a period of time, however short, evidencing a
8 continuity of conduct. Acts indicating a course of conduct which
9 occur in more than one jurisdiction may be used by any other
10 jurisdiction in which an act occurred as evidence of a
11 continuing pattern or course of conduct.

12 "Emotional distress." A temporary or permanent state of
13 great physical or mental strain.

14 "Family or household member." Spouses or persons who have
15 been spouses, persons living as spouses or who lived as spouses,
16 parents and children, other persons related by consanguinity or
17 affinity, current or former sexual or intimate partners or
18 persons who share biological parenthood.

19 SECTION 2. THE AMENDMENT OF 18 PA.C.S. § 2709(C)(1) SHALL <—
20 APPLY TO OFFENSES COMMITTED ON OR AFTER THE EFFECTIVE DATE OF
21 THIS ACT.

22 Section ~~2~~ 3. This act shall take effect in 60 days. <—